

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FALLON PAIUTE-SHOSHONE TRIBE and)
the CENTER FOR BIOLOGICAL DIVER-)
SITY,)

Plaintiffs,)

vs.)

U.S. DEPARTMENT OF THE INTERIOR, *et*)
al.,)

Defendants,)

and)

ORMAT NEVADA INC.,)

Defendant-Intervenor)

3:21-cv-00512-RCJ-WGC

ORDER

Defendant-Intervenor Ormat Nevada Inc. (Ormat) moves to modify the Court's order granting a preliminary injunction. (ECF No. 35.) The Court orally ruled that Omat was enjoined for 90 days (ECF No. 31) and then put the order in writing (ECF No. 41). Ormat seeks to shorten this injunction to 45 days. It also moves to have this motion ruled upon by this Court on or before January 20, 2022, which this Court grants as it rules upon these motions now.

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Ormat seeks to relitigate issues already decided by this Court. Ormat argues that it may not be able to enjoy a purchase of power agreement. This issue has already been thoroughly briefed and argued in the motion for a temporary restraining order and preliminary injunction, and the submissions to the Court included Ormat's characterization of its power purchase agreement and construction schedule. The Court took these arguments into account in granting a temporary restraining order and preliminary injunction for a 90-day period. As this Court stated at the hearing, the most efficient and direct path to resolve any party's concerns with this Court's orders on the temporary restraining order and preliminary injunction is to pursue appeal on an expedited basis. For this reason, the Court denies this motion.

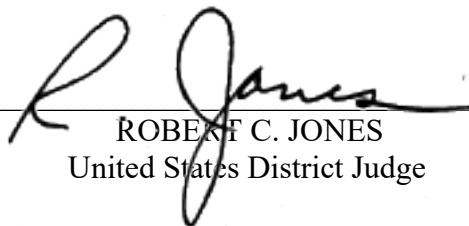
CONCLUSION

IT IS HEREBY ORDERED that Ormat's Motion to Shorten Time (ECF No. 34) is GRANTED.

IT IS FURTHER ORDERED that Ormat's Motion to Modify the Preliminary Injunction (ECF No. 35) is DENIED.

IT IS SO ORDERED.

Dated January 19, 2022.


ROBERT C. JONES
United States District Judge